



Docket No.: 1293.1757

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung-shig CHUNG, et al.

Serial No. 10/602,636

Group Art Unit: 2625

Confirmation No. 1070

Filed: June 25, 2003

Examiner: Thierry L. PHAM

For: IMAGE FORMING APPARATUS

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed November 14, 2008.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

More specifically, in the "Examiner's Statement of Reasons for Allowance", the Examiner characterizes certain features of identified claims which the Examiner states that the prior art "fails to teach and/or suggest." It is submitted that the Examiner's statement is not an accurate quote with respect to each of the allowed claims. By way of example and not limitation, claim 1

does not specifically recite "a plurality of flexible guide members" referenced in the statement. Instead, claim 1 specifically recites, "a plurality of guide members."

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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Date: June 11, 2009

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